

The Regular Meeting of the
Brian Head Town Council
Town Hall - 56 North Highway 143
Brian Head, UT 84719
TUESDAY, MARCH 22, 2016 @ 1:00 PM

Roll Call.

Members Present:

Mayor H.C. Deutschlander, Council Member Larry Freeberg,
Council Member Clayton Calloway, Council Member Reece Wilson,
Council Member David Bourne.

Staff Present:

Bret Howser, Nancy Leigh, Wendy Dowland, Tom Gurr, Dan
Benson

A. CALL TO ORDER

Mayor Deutschlander called the regular meeting of the Brian Head Town Council to order at 1:00 pm for March 22, 2016.

B. PLEDGE OF ALLEGIANCE

Mayor Deutschlander led the Council and others in the Pledge of Allegiance.

C. DISCLOSURES

There were no conflicts of interest with today's agenda items. Mayor Deutschlander stated that the disclosure statements are on file at the Town Clerk's office and are available for public inspection during normal business hours.

D. COUNCIL RECOGNITION: Council recognition for Bret Howser, Town Manager.

Mayor Deutschlander gave a brief history of the hold harmless agreement in which Brian Head received \$127,000 annually in sales taxes from the state for a period of ten years. As per the agreement, the town would begin to see a decrease in the amount of guaranteed sales taxes to 90% in 2015 and then continue to decrease until the town no longer received the guaranteed revenue. Bret along with Alta Town worked with the state to pass a bill that would allow Brian Head, Alta Town and Garfield County to continue to receive the designated amount of sales taxes from the state. Brian Head will again receive \$127,000 in sales taxes from the state.

The Mayor and Council congratulated Bret on his success in passing Senate Bill 258 (see attached bill) allowing Brian Head to continue to receive \$127,000 annually in sales tax revenue.

E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Council Member Calloway, reported on the Star Party held this past weekend at the Navajo Lodge. The turnout was less than last year, but a fair amount of people attended the event.

Mayor Deutschlander, reported on a Utah Department of Transportation (UDOT) meeting held in Beaver earlier this week. He attended along with two staff members and the topic of discussion was projects UDOT is anticipating this year.

Dan Benson, Public Safety Director, reported a down tree took out some of the power lines, but due to a loop system, the town did not experience a power outage.

Tom, Gurr, Interim Public Works Director

1. Attended the UDOT meeting with Mayor Deutschlander earlier this week.
2. The department will begin the mag chloride road projects, beginning with Spruce, Aspen, Fir and Hidden Lake. The project should be completed by this spring.
3. Landmark Engineering has done the geotechnical work for the Ridgeview Street project, and the town will be advertising a request for proposal soon.
4. The department will be videoing 20% of the sewer system this year.
5. Staff is working on quotes for replacement of the sander, along with researching prices for a new and used crack seal machine.

F. APPROVAL OF THE MINUTES: March 8, 2016 Town Council Meeting

Motion: Council Member Calloway moved to approve the March 8, 2016 Town Council minutes. Council Member Bourne seconded the motion.

Action: **Motion carried 4-0-1 (summary: Yes = 4, No = 0, Abstain = 1 Vote: Yes:** Council Member Calloway, Council Member David Bourne, Council Member Wilson, Mayor Deutschlander. **Abstain:** Council Member Freeberg).

G. AGENDA ITEMS:**1. BLACK DIAMOND FEE REDUCTION REQUEST.** A request for a reduction in fees for a plat amendment.

Steve Danko, Black Diamond Developer, joined the meeting by telephone at 1:20 pm. Mr. Danko explained he is requesting the Council grant a reduction in the cost for a final plat amendment for the Black Diamond Development (see attached letter).

Bret Howser, Town Manager, explained currently the fee for a plat amendment is \$250 per unit and Mr. Danko is requesting a reduction in those fees. Mr. Danko explained he is unsure if the project can move forward with the cost of \$250 per unit. Mr. Danko went on to explain the town has approved the Black Diamond final plat and the proposed amendment is a smaller footprint than the original plat.

The Council held discussion on the following:

1. The current fee for the proposed plat amendment is \$4,750.
2. Council Member Calloway commented he believes an estimated cost for the town's expenses is approximately \$2,500 to \$2,800, which includes engineer and attorney fees along with the notice mailings.
3. Council Member Calloway recommended the developer pay the \$4,750 and the town would monitor the cost and would then reimburse the developer the difference.
4. Mr. Danko explained he would need to know the final costs first. Mr. Danko also stated there is an issue of impact fees since there are so many costs associated with the construction of the project.
5. Staff will work on a firmer cost estimate for the developer.
6. Wendy Dowland, Public Works Assistant, explained the fees for an amended plat hasn't changed since 2005 when they first built the first Black Diamond building.
7. Council Member Calloway commented this could be used as the ground work for staff in reviewing the fees, but the town needs to identify the staff's time and needs to be realistic.
8. Bret reported other cities fees are less than Brian Head and if the town determines to charge for its costs for this project and then the Council will review the fees at a later time.
9. Staff will review the actual costs.
10. Council Member Freeberg expressed his concerns if the town allows a reduction in fees for this project, and then there is a possibility that others will be requesting fee reductions.

11. Council Member Calloway inquired as to what the \$250 per unit is based on. Bret responded he will research if a fee study was done for the existing fees.

Consensus of the Council: Black Diamond will pay \$4,750 up front and once the actual costs are identified, the town will reimburse any remaining funds back to Black Diamond.

2. DEBT SERVICE FUND TRANSFER DISCUSSION. A discussion on a transfer from the Debt Service Fund for the payment of the 2016 General Obligation Refunding Water Bonds.

Bret Howser, Town Manager, explained the town pays for its general obligation debt from property taxes and are paid through the debt service fund and due to the way the debt service levy is set the town receives more revenue received than what is needed to pay the general obligation debt. The town has accumulated over \$400,000 over the years.

Bret explained he would like the Council to consider transferring \$200,000 from the debt service fund to the water fund to pay for a general obligation debt; the 2016 GO refunding water bonds. The water fund is \$120,000 in the negative due to an overrun on the dedicated waterline project and revenues that were anticipated but not received. The transfer will cover one of the general obligation debt payments for this year in the water fund. Bret explained staff has confirmed the transfer with the town attorney and the town auditor who reported the town has the ability to make the transfer since it would go towards paying a general obligation debt.

Bret explained he will research to determine if there is a requirement to have a reserve in the debt service fund and will report back to the Council. If there isn't a reserve requirement in the debt service fund, then the town would have the option to pay another general obligation debt in the water fund next year.

Bret explained this agenda item is a discussion at this time and if the Council is agreeable to the transfer, staff will put it on the Council agenda for the annual budget adjustment in June, 2016.

Consensus of the Council: Staff will move forward with a transfer of \$200,000 to the water fund for the purpose of paying the general obligation debt in the water fund. The budget adjustment will be on the Council agenda for June 2016.

Council Member Freeberg suggested he would like some notification to the public that the Council is working hard to keep the water rates down. Staff will put the information in the town's newsletter.

H. WORK SESSION OF THE TOWN COUNCIL:

• FISCAL YEAR 2017 STRATEGIC PLAN REVIEW. The Fiscal Year 2017 Strategic Plan Review.

Bret Howser, Town Manager, explained he has taken the information received from the Council during the strategic planning retreat and other remaining action steps for the proposed fiscal year 2017 strategic plan (see attached).

The Council held discussion on the following:

1. Changes to the town goals: a) increase support for local events. b) increase livability of town by making areas more pedestrian and bike friendly. Council agreed with the change in the goals.

2. Administration Department:

- a) PI01: Public Meetings: Council Member Wilson commented he was considering a change in the Council meeting times to night meetings instead of 1:00 pm. Council Member Wilson commented he does not believe there was support for a later time.

Council Member Bourne commented the afternoon meetings affect working people who are unable to attend the meetings. **Consensus of the Council:** Meeting times will be 1:00 pm.

- b) PIO2 & 3: Email addresses & social media. Bret explained staff is working to expand on social media and the guest service representatives will continue to work on gathering information. Wendy has been working on the town's social media but there may be a transition to the guest service representative to do the town's Facebook page. Council Member Wilson volunteered to update the town's Facebook page. Council Member Wilson reported he will meet with Bret on some ideas.
- c) PIO5: Front desk coverage: Bret explained the front desk situation is working and the town has save money on it.
- d) Bret explained the town is in the process of updating the phone system and it should be installed prior to the adoption of the FY2017 strategic plan.
- e) PIO9: Fall appreciation day: Bret explained the staff will work on this item. Council Member Wilson commented he believes it is important to grow the town events and would like it to be a community event. Staff will track the cost.
- f) CD01: The Planning Commission came up with four action items: i) review the garage, driveways, hardscapes and setbacks. ii) review retaining wall standards. iii) a definition for equipment for light home industrial, home occupation for water transport and snow removal. iv) adjust transportation plan to address parking to look at a parking master plan. Council Member Calloway commented the Planning Commission should consider revisiting the General Plan Map since there are a couple of items that need to be addressed.
- g) Council Member Calloway commented he would like to see the Planning Commission receive additional training and the training should be focused on planning for the future. Staff will research trainings for future planning trainings for the Planning Commission.
- h) Council Member Wilson explained he would like to see a list of cities and towns that are similar to Brian Head and to contact them to see what they are doing for their future planning needs.
- i) Council Member Calloway commented there is an action step identifying that staff will explore the night sky ordinance and he has concerns regarding this ordinance since the town doesn't conform to the night sky friendly ordinance and the resort who has night skiing is not in compliance with night sky friendly. Bret responded the word "explore" means that the town is not absolutely committed and he would need to read the requirements for night sky friendly designation first before continuing with this action step.
- j) CD04: Code enforcement: Bret explained that Officer Jeff Morgan is the town's Code Enforcement Officer and is doing an excellent job. Meetings will be scheduled to meet with Jeff, Wendy and himself to review the code enforcement issues.
- k) Council Member Wilson inquired as to Cedar Breaks Lodge's maintenance yard that is adjacent to highway 143 and the need to have the area cleaned up. Bret explained he will contact Cedar Breaks Lodge and talk with them. Council Member Wilson reported that he is in the process of getting a highway 143 clean-up plan for this upcoming summer.
- l) Council Member Calloway inquired if the cargo containers have come into compliance. Bret explained staff will continue to work with the owners of the cargo containers to bring them into compliance.
- m) Planning Commission would like to see the Bearflat campground utilized. Council Member Calloway explained that the public opinion of the campground wasn't there. Council Member Wilson explained this is an important item he would like to see constructed and would give another option for the public. Bret explained the town has property that could be utilized as a campground on the north end of Brian Head and is on the town's trail system. The problem would be getting water and sewer to the location. Council Member Calloway commented this item should be kept on the

- list and idea alive and staff should continue to work with the Forest Service. Council Member Freeberg commented he would like to see the cost involved with a campground.
- n) Economic Development: Bret explained the items identified in red font are being proposed to be eliminated from the plan.
 - o) ED02: Special Events: Fourth of July band: The town will coordinate with the resort to put a band at the pond area to be playing at 7:00 pm.
 - p) ED03: Business Retention: Council Member Calloway inquired as to the delay in the launching of the revised website: visitbrianhead.org. Bret explained that a part-time person would be working on the site and there have been some issues regarding the pictures for the site. Staff is working on it and it should be ready for launch in the near future.
 - q) EDO6: Shuttle system: Bret explained the shuttle route will use two buses next year and will run the double loop system. St. George Shuttle has indicated they will give the same cost as this year for the shuttle service. The town will be looking to construct shuttle shelters throughout town. Council Member Calloway recommended the Planning Commission will need to review the shelters to determine if they fit into the Land Management Code and staff will need to work with (UDOT) on the shelters being located within their right-of-way.
 - r) Bret explained there is a proposal to run a shuttle service during the summer for special event weekends and will be looking at a proposal for a route to Cedar Breaks Monument. Bret explained staff will look at the cost for the commercial loop and then try a couple of weekend of going to Cedar Breaks National Monument.
 - s) Strategic Planning: SP05: Signs: The current wayfinding signs are ineffective and have been damaged over the winter season. The staff will be working to make the wayfinding signs more effective.
 - t) SPO5: Branding the town vehicles: The town vehicles will have the town logos put on.
 - u) The 2018 Strategic retreat will be held in Brian Head in January, 2017.
 - v) Financial Management (FM): Council Member Calloway commented he would like to see staff justify the expenses of the Retail Business License Fees in an effort to inform the public as to what the fees are being used for. Bret responded staff will study the enhanced service fees and staff will add it as an action step to the strategic plan.
 - w) Council Member Calloway suggested the Council and staff review the fee schedule to determine if some fees should be reviewed such as the building fees. Bret responded some review will be completed in-house and others such as the impact fees will be outsourced at a cost of approximately \$20,000 for water, sewer, storm drainage and streets. There may also be Community Impact Board (CIB) funding available for impact fees.
 - x) Personnel Management (PM): PM02: Holidays: Council Member Calloway suggested holidays be removed from this action step.
 - y) Council inquired as to a timeline for the recruitment of a Public Works Director. Bret responded the recruitment packet should be completed by the end of April and then advertise the job in May and gather applications during May and June and look at hiring in June.

3. Public Works Department

- a) Council Member Wilson stated he would like the town to discontinue the installment of the red dirt/clay onto the trails and roads due to the problem that it is slick when it is wet and is a problem driving on it.
- b) Streets ST01: Changes made for mag chloride applications to Aspen, Spruce, Fir and Hidden Lake. Tom Gurr reported he would also like to mag chloride Rue Jolley as well. Bret explained the goal is to get milled asphalt on more of the town roads.
- c) There will be milled asphalt on the lower portion of Spruce and North Falcon Road.

- 1 d) Council Member Freeberg suggested that any of the road that are crowned, the
2 newer employees have a tendency to drop the blade and leave the road bare and
3 that some snow should be left on the road.
- 4 e) Bret reported there will be a widening improvement on Snowshoe and Toboggan
5 Lane. The town will be renting equipment for these projects.
- 6 f) ST02: Paved Roads: Bret reported staff is in the process of researching on whether
7 to purchase or outsource a crack sealer.
- 8 g) Council Member Freeberg commented that during a previous waterline project,
9 Steam Engine Drive from Village Way to Forest Drive was damaged and not
10 properly repaired. Council Member Freeberg inquired as to when this section of
11 road will be addressed. Bret responded the road is scheduled to be re-milled from
12 highway 143 to Kodiak in years one through three and would include this section of
13 road.
- 14 h) Bret inquired if Council is interested in moving the Ridgeview, Steam Engine and
15 Hunter Ridge Street projects higher on the priority list. Bret explained there may be
16 enough funds from the Pinehurst project to begin this project. Council Member
17 Calloway suggested staff stay with the plan identified for priorities.
- 18 i) ST03: Streets Master Plan: Council discussed the engineering for the 2018
19 projects: Steam Engine Drive or Hunter Ridge Road. Council Member Calloway
20 commented the Council would need to determine which road is in worse condition to
21 determine its priority.
- 22 j) ST06: Street Lights: Council Member Calloway encouraged staff to continue to
23 work with Rocky Mountain Power to change the street lights along highway 143 to
24 LED's.
- 25 k) ST08: Improve multi-modal transportation options: Council Member Wilson
26 commented the public walks along highway 143 and inquired if it would be feasible
27 to redesign the walking trail. Council Member Calloway stated the town was looking
28 at making the town's OHV trail as a multi-use trail and suggested the staff continue
29 with the projects that Tom Stratton proposed to (UDOT). Council Member Wilson
30 suggested the town work towards having a pedestrian/bike lane adjacent to highway
31 143. Council will identify this issue as a future discussion item to further investigate
32 a solution.
- 33 l) Parks & Recreation: Staff will identify an **action step**: Manage bovine.
- 34 m) Council Member Wilson encouraged the staff to review what the priority list is for
35 Bristlecone Pond in which the volleyball pit and planting seed/sod in the area are a
36 high priority and would like to see the project completed prior to the 4th of July
37 holiday. Staff will focus on planting trees and shrubs next year.
- 38 n) Council Member Calloway commented the Planning Commission needs to review
39 the Land Management Code as it pertains to parking and backing out onto town
40 roads.
- 41 o) PK03: Trails: Bret explained there are items for improvements: signage, tread and
42 trail heads.
- 43 p) Mayor Deutschlander suggested staff draft a map of the trail systems and identifying
44 which areas of the trails easements/licenses have been obtained.
- 45 q) Water: Bret reported the dedicated waterline project will be completed this year
46 along with the Vasels waterline which is part of a development agreement with the
47 town.
- 48 r) Sewer: Bret reported there is one change to the plan in which the town will be
49 rodding 20% of the sewer system and videoing 20% of the system.
- 50 s) Solid Waste: Recycling: Council Member Calloway commented the town needs to
51 decide whether to continue recycling or discontinue. Council Member Calloway
52 suggested staff sent out a survey to the public asking their opinion on recycling.
53 Staff will review the cost for outsourcing recycling and report back to the Council.
- 54 **4. Public Safety Department**
- 55 a) Council Member Calloway requested a copy of the town's emergency response
56 plan.

- 1 b) PS03: Body cameras: Chief Benson explained the state is not requiring body
2 cameras for every department, but will find out the details of what the State
3 Legislature has passed. Chief Benson commented he believes it is something the
4 town needs.
- 5 c) PS04: Health/Fitness: Chief Benson reported the department is passing their
6 fitness tests and the public works department is now being trained in firefighting.
- 7 d) Increase police staffing to five full-time marshals. Bret explained this was done
8 within the budget. Council Member Wilson commented he would like to see a better
9 rotation of full-time officers during the holidays and weekends.
- 10 e) Fire Department: FD07: Certified ladder truck purchase. Chief Benson explained a
11 purchase of a ladder truck would be beneficial for life saving in fires that are two or
12 more stories high and also help with the town's ISO rating. The truck could be
13 purchased with a low interest loan and wildland fire funds.
- 14 f) Council Member Calloway inquired as to upgrading the pumper truck which does
15 not currently have enough engine power. Chief Benson explained he has taken the
16 vehicle to a company to determine if it can be changed out for a diesel but it was
17 cost prohibitive. There is a company in Las Vegas that has the capability to do the
18 job.
- 19 g) Slash piles: Staff will work with UDOT on permitting and removing the slash piles.

20 21 22 I. ADJOURNMENT

23
24 **Motion:** Council Member Calloway moved to adjourn the regular meeting of the Brian Head
25 Town Council for March 22, 2016. Council Member Wilson seconded the motion.

26 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote:** Yes: Council Member Calloway,
27 Council Member David Bourne, Council Member Freeberg, Council Member Wilson,
28 Mayor Deutschlander.
29

30 The regular meeting of the Brian Head Town Council was adjourned at 4:45 pm for March 22, 2016.
31

32
33 April 26, 2016
34 Date Approved
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Nancy Leigh, Town Clerk